

**U.S. District Court**  
**Southern District of Iowa (Davenport)**  
**CIVIL DOCKET FOR CASE #: 3:15-cv-00111-JAJ-CFB**  
***Internal Use Only***

Hammock v. NASA Headquarters, et al  
Assigned to: Chief Judge John A. Jarvey  
Referred to: Magistrate Judge Celeste F. Bremer  
Cause: 42:1983 Civil Rights Act

Date Filed: 10/16/2015  
Date Terminated: 01/13/2016  
Jury Demand: Plaintiff  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Calvin Hammock**

represented by **Calvin Hammock**  
5106 Brown Street  
Davenport, IA 52806  
PRO SE

V.

**Defendant**

**NASA Headquarters**

represented by **Mary C Luxa**  
U S Attorney's Office  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Department of Defense**

represented by **Mary C Luxa**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Space Exploration Technologies Space X**

represented by **Space Exploration Technologies Space X**  
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PRO SE

**Defendant**

**Apple**

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**LEAD ATTORNEY**  
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**Defendant**

**Blackberry (Curve) Corporation**

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**Defendant**

**Virgin Mobile**

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**Defendant**

**Mediacom WiFi**

represented by **Terri L. Combs**  
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*LEAD ATTORNEY*  
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**Defendant**

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**ATTORNEY TO BE NOTICED**

**Defendant**

**Unknown Defendants**

Date Filed	#	Page	Docket Text
10/16/2015	<u>1</u>		COMPLAINT against American Water Iowa, Apple, Blackberry (Curve) Corporation, Department of Defense, Mediacom WiFi, NASA Headquarters, Space Exploration Technologies Space X, Unknown Defendants, Virgin Mobile, filed by Calvin Hammock. Notice of Dismissal for lack of Service deadline set for 2/15/2016. Rule 16 Notice of Dismissal set for 2/15/2016. (Attachments: # <u>1</u> Exhibits) (bp ) (Entered: 10/16/2015)
10/16/2015			Filing fee: \$ 400.00, receipt number IAS3000000788 for Filing Fee by Calvin Hammock (bp ) (Entered: 10/16/2015)
10/16/2015	<u>2</u>		MOTION to Appoint Counsel by Calvin Hammock. Motion referred to Celeste F. Bremer. Responses due by 11/2/2015 (bp ) (Entered: 10/16/2015)
10/26/2015	<u>3</u>		PLEADING STRICKEN PER ORDER #6 (bp ) Modified on 12/3/2015 (bp ). (Entered: 10/26/2015)
11/16/2015	<u>4</u>		NOTICE by Calvin Hammock. (bp ) (Entered: 11/16/2015)
11/25/2015	<u>5</u>		NOTICE of Appearance by Terri L. Combs on behalf of Mediacom WiFi (Combs, Terri) (Entered: 11/25/2015)
12/03/2015	<u>6</u>		ORDER denying <u>2</u> Motion to Appoint Counsel and Strikes the Amend to Complaint and Exhibits. Signed by Senior Judge Charles R. Wolle on 12/03/15. (bp) (Entered: 12/03/2015)
12/04/2015	<u>7</u>		SUMMONS Returned Executed by Calvin Hammock. Space Exploration Technologies Space X served on 11/18/2015, answer due 12/9/2015. (bp ) (Entered: 12/04/2015)
12/04/2015	<u>8</u>		SUMMONS Returned Executed by Calvin Hammock. Apple served on 11/17/2015, answer due 12/8/2015. (bp ) (Entered: 12/04/2015)
12/04/2015	<u>12</u>		SUMMONS Returned Executed by Calvin Hammock. NASA Headquarters served on 11/18/2015, answer due 1/18/2016. (bp ) (Entered: 12/09/2015)
12/08/2015	<u>9</u>		MOTION to Dismiss by Virgin Mobile. Responses due by 12/28/2015 (Attachments: # <u>1</u> Memorandum in Support)(Cartmill, Espnola) (Entered: 12/08/2015)
12/08/2015	<u>10</u>		NOTICE of Appearance by Philip A Burian on behalf of Apple (Burian, Philip) (Entered: 12/08/2015)
12/08/2015	<u>11</u>		

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		MOTION to Dismiss by Apple. Responses due by 12/28/2015 (Attachments: # <u>1</u> Brief in Support)(Burian, Philip) (Entered: 12/08/2015)
12/09/2015	<u>13</u>	SUMMONS Returned Executed by Calvin Hammock. Blackberry (Curve) Corporation served on 11/18/2015, answer due 12/9/2015. (bp ) (Entered: 12/09/2015)
12/09/2015	<u>14</u>	SUMMONS Returned Executed by Calvin Hammock. Virgin Mobile served on 11/17/2015, answer due 12/8/2015. (bp ) (Entered: 12/09/2015)
12/09/2015	<u>15</u>	NOTICE of Appearance by Michael R Reck on behalf of Virgin Mobile (Reck, Michael) (Entered: 12/09/2015)
12/09/2015		Chief Judge John A. Jarvey added. Senior Judge Charles R. Wolle no longer assigned to case. (don, ) (Entered: 12/09/2015)
12/09/2015	<u>16</u>	NOTICE of Appearance by Kelsey J Knowles on behalf of Virgin Mobile (Knowles, Kelsey) (Entered: 12/09/2015)
12/10/2015	<u>17</u>	SUMMONS Returned Executed by Calvin Hammock. Mediacom WiFi served on 11/19/2015, answer due 12/10/2015. (bp ) (Entered: 12/10/2015)
12/10/2015	<u>18</u>	MOTION for Default Judgment as to Space Exploration Technologies Space X by Calvin Hammock. Responses due by 12/28/2015 (bp ) (Entered: 12/10/2015)
12/10/2015	<u>19</u>	MOTION to Dismiss by Mediacom WiFi. Responses due by 12/28/2015 (Attachments: # <u>1</u> Brief in Support)(Combs, Terri) (Entered: 12/10/2015)
12/10/2015	<u>20</u>	BRIEF in Support of <u>18</u> MOTION for Default Judgment Against Space Exploration Technologies Space X filed by Calvin Hammock. (dmh) (Entered: 12/10/2015)
12/17/2015	<u>21</u>	MOTION to Dismiss by Space Exploration Technologies Space X. Responses due by 1/4/2016 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration) (bp ) (Entered: 12/17/2015)
12/17/2015	<u>22</u>	Corporate Disclosure/Statement of Interest by Virgin Mobile. (Cartmill, Espnola) (Entered: 12/17/2015)
12/18/2015	<u>23</u>	RESPONSE to Motion re <u>21</u> MOTION to Dismiss filed by Calvin Hammock. Replies due by 12/31/2015. (bp,) (Entered: 12/18/2015)
12/18/2015	<u>24</u>	Corporate Disclosure/Statement of Interest by Apple. (Burian, Philip) (Entered: 12/18/2015)
12/21/2015	<u>25</u>	RESPONSE to Motion re <u>2</u> MOTION to Dismiss , <u>11</u> MOTION to Dismiss , <u>19</u> MOTION to Dismiss filed by Calvin Hammock. Replies due by 12/31/2015. (bp ) (Entered: 12/21/2015)
12/21/2015	<u>26</u>	MOTION for Default Judgment as to Blackberry Curve Corp. by Calvin Hammock. Responses due by 1/7/2016 (Attachments: # <u>1</u> Brief in Support) (bp) (Entered: 12/21/2015)
12/21/2015	<u>27</u>	Corporate Disclosure/Statement of Interest by Mediacom WiFi. (Combs, Terri) (Entered: 12/21/2015)
12/28/2015	<u>28</u>	SUMMONS Returned Executed by Calvin Hammock. Department of Defense served on 11/20/2015, answer due 1/19/2016. (bp ) (Entered: 12/28/2015)

12/28/2015	<u>29</u>		REPLY <i>to Resistance to Motion to Dismiss</i> re <u>11</u> MOTION to Dismiss filed by Apple.(Burian, Philip) (Entered: 12/28/2015)
12/29/2015	<u>30</u>		REPLY <i>Brief in Further Support</i> re <u>19</u> MOTION to Dismiss filed by Mediacom WiFi.(Combs, Terri) (Entered: 12/29/2015)
12/29/2015	<u>31</u>		REPLY re <u>21</u> MOTION to Dismiss filed by Space Exploration Technologies Space X. (bp ) (Entered: 12/29/2015)
12/29/2015	<u>32</u>		NOTICE of Appearance by Todd M. Lantz on behalf of Blackberry (Curve) Corporation (Lantz, Todd) (Entered: 12/29/2015)
12/29/2015	<u>33</u>		NOTICE of Appearance by Mark E Weinhardt on behalf of Blackberry (Curve) Corporation (Weinhardt, Mark) (Entered: 12/29/2015)
12/30/2015	<u>34</u>		SUMMONS Returned Executed by Calvin Hammock. American Water Iowa served on 12/22/2015, answer due 1/12/2016. (bp ) (Entered: 12/30/2015)
12/30/2015	<u>35</u>		RESPONSE to Defendant, Space Exploration Technologies Reply, re: <u>21</u> MOTION to Dismiss filed by Calvin Hammock. (bp ) (Entered: 12/30/2015)
12/30/2015	<u>36</u>		RESPONSE to Defendant, Apple's Reply, re: <u>11</u> MOTION to Dismiss filed by Calvin Hammock. (bp ) (Entered: 12/30/2015)
12/30/2015	<u>37</u>		RESPONSE to Defendant, Mediacoms (MCC Iowa LLC) Reply, re: <u>19</u> MOTION to Dismiss filed by Calvin Hammock. (bp ) (Entered: 12/30/2015)
12/31/2015	<u>38</u>		REPLY re <u>2</u> MOTION to Dismiss filed by Virgin Mobile.(Cartmill, Espnola) (Entered: 12/31/2015)
01/04/2016	<u>39</u>		Errata, re: <u>28</u> Summons Returned Executed as to Department of Defense filed by Calvin Hammock. (bp ) (Entered: 01/04/2016)
01/04/2016	<u>40</u>		RESPONSE to Defendant, Virgin Mobile's Reply, re <u>2</u> MOTION to Dismiss filed by Calvin Hammock. (bp ) (Entered: 01/04/2016)
01/04/2016	<u>41</u>		NOTICE of Appearance by Elizabeth Jane Thompson on behalf of Mediacom WiFi (Thompson, Elizabeth) (Entered: 01/04/2016)
01/05/2016	<u>42</u>		NOTICE of Appearance by Dennis L Puckett on behalf of American Water Iowa (Puckett, Dennis) (Entered: 01/05/2016)
01/05/2016	<u>43</u>		NOTICE of Appearance by Amanda Ann James on behalf of American Water Iowa (James, Amanda) (Entered: 01/05/2016)
01/06/2016	<u>44</u>		NOTICE of Appearance by Mary C Luxa on behalf of Department of Defense (Luxa, Mary) (Entered: 01/06/2016)
01/06/2016	<u>45</u>		MOTION to Quash <i>Service of Process and Resistance to Motion for Default Judgment</i> by Blackberry (Curve) Corporation.Motions referred to Celeste F. Bremer. Responses due by 1/25/2016 (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit)(Lantz, Todd) (Entered: 01/06/2016)
01/11/2016	<u>46</u>		MOTION to Dismiss by American Water Iowa. Responses due by 1/28/2016 (Attachments: # <u>1</u> Brief in Support)(James, Amanda) (Entered: 01/11/2016)
01/11/2016	<u>47</u>		Corporate Disclosure/Statement of Interest by American Water Iowa. (James, Amanda) (Entered: 01/11/2016)

01/12/2016	<u>48</u>		MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by Department of Defense, NASA Headquarters.Motions referred to Celeste F. Bremer. (Luxa, Mary) (Entered: 01/12/2016)
01/13/2016	<u>49</u>	8	ORDER granting <u>45</u> Motion to Quash; granting <u>46</u> Motion to Dismiss; finding as moot <u>48</u> Motion for Extension of Time to Answer; granting <u>9</u> Motion to Dismiss; granting <u>11</u> Motion to Dismiss; finding as moot <u>18</u> Motion for Default Judgment; granting <u>19</u> Motion to Dismiss; granting <u>21</u> Motion to Dismiss; finding as moot <u>26</u> Motion for Default Judgment. The clerk shall enter judgment in favor of the defendants and against the plaintiff. Signed by Chief Judge John A. Jarvey on 1/13/2016. (mem) (Entered: 01/13/2016)
01/13/2016	<u>50</u>	10	JUDGMENT in favor of Defendants and against Calvin Hammock. Signed by Deputy Clerk R. Johnson for Clerk Marjorie Krahn on 1/13/2016. (rmj) (Entered: 01/13/2016)
01/22/2016	<u>51</u>	11	NOTICE OF APPEAL as to <u>49</u> Order on Motion to Quash, Order on Motion to Dismiss, Order on Motion for Extension of Time to Answer, Order on Motion for Default Judgment, <u>50</u> Judgment by Calvin Hammock. Fee paid in the amount of \$505.00, Receipt #IAS300000821. (bp ) (Correct received date and Main Document 51 replaced on 1/22/2016. Resent NEF) (bp, ). (Entered: 01/22/2016)
01/26/2016	<u>52</u>	16	NOTIFICATION OF APPEAL and NOA Supplement by District Court Clerk to USCA re <u>51</u> Notice of Appeal, filed on 1/22/2016. (vr) (Entered: 01/26/2016)

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF IOWA  
DAVENPORT DIVISION

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CALVIN HAMMOCK,

Plaintiff,

vs.

NASA HEADQUARTERS, et al.,

Defendants.

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No. 3:15cv0111-JAJ

**ORDER**

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This matter comes before the court pursuant to motions to dismiss filed on December 8, 2015 by defendant Virgin Mobile [Dkt. 9], on December 8, 2015 by defendant Apple [Dkt. 11], on December 10, 2015 by defendant Mediacom [Dkt. 19], on December 17, 2015 by defendant Space Exploration Technologies X [Dkt. 21], on January 11, 2016 by defendant American Water Iowa [Dkt. 46] and the Motion to Quash Service of Process filed January 6, 2016 by Blackberry (Curve) Corporation [Dkt. 45]. These motions are granted. All other pending motions are denied as moot.

Plaintiff's complaint alleges that on May 22, 2012, he was in the basement of his home watching the NASA Space X Falcon Engine Dragon lift off on his Apple Macbook Pro laptop while using Mediacom Wifi network and while plaintiff's Blackberry Curve cellular telephone was on using the Virgin Mobile wireless network and with an Iowa American Water smart meter wireless network on. "During liftoff, plaintiff felt the back of his cerebellum vibrate for fifteen to twenty-five seconds as a pain sensation that plaintiff has not felt since that exact pain sensation although there have been similar frequency sensations dealing with plaintiff's head." The plaintiff further alleges that since the injury of that vibration to plaintiff's cerebellum, plaintiff has felt pain shocks to the body in the areas of anus, testicles, side of rib cage, heart vibrations, chest, and head as some sort of microwave maser harassment and targeting by directed energy weapons. See Complaint, [Dkt. 1 at ¶¶ 12-14].

The defendants move to dismiss for various reasons including failure to state a claim upon which relief can be granted, violation of the statute of limitations, failure to




demonstrate that non-government defendants are “state actors” within the meaning of 42 U.S.C. § 1983, and lack of allegations concerning a discriminatory motive pursuant to 42 U.S.C. § 1985. The court grants the motions to dismiss and to quash for each of the reasons cited by the defendants. At its core, this complaint fails to include sufficient facts to state a claim for relief that is plausible on its face. Ashcroft v. Iqbal, 556 U.S. 662 (2009); Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007). The non-governmental entities sued in this matter are not state actors for purposes of 42 U.S.C. § 1983. The complaint was not filed within the statute of limitations.

Upon the foregoing,

**IT IS ORDERED** that the pending motions to dismiss and to quash service of process are all granted. All other pending motions are denied as moot. The clerk shall enter judgment in favor of the defendants and against the plaintiff.

**DATED** this 13th day of January, 2016.

  
\_\_\_\_\_  
JOHN A. JARVEY, Chief Judge  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA

Plaintiff

v

JUDGMENT IN A CIVIL CASE

CASE NUMBER:

Defendant

JURY VERDICT . This action came before the Court for trial by jury. The issues have been tried and the jury has rendered its verdict.

DECISION BY COURT. This action came before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED:

Date:

CLERK, U.S. DISTRICT COURT

---

By: Deputy Clerk

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF IOWA**

Calvin Hammock  
5106 Brown Street  
Davenport, Iowa 52806

Plaintiff/ Petitioner  
Pro Se

**Case No. 3:15-cv-00111-JAJ-CFB**

**NOTICE OF APPEAL**

**VS**

NASA HEADQUARTERS, DEPARTMENT  
OF DEFENSE, SPACE EXPLORATION  
TECHNOLOGIES SPACE X, APPLE,  
BLACKBERRY, CURVE CORP. VIRGIN  
MOBILE, MEDIACOM MCC IOWA LLC,  
AMERICAN WATER IOWA , ANY YET UN-  
IDENTIFIED ENTITIES , PERSONS,  
SATELLITES, GOVT AGENCIES, GOVT.  
TECHNOLOGIES, INTERAGENCIES, FUSION  
CENTER PARTICIPANT PARTNERS  
CORPORATIONS, COMPANIES, SOFTWARE USED  
BY AND WITH STATE ACTORS & TEMPORARY  
STATE ACTORS

**DEFENDANTS**

**RECEIVED**  
JAN 22 2016  
CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA

## NOTICE OF APPEAL

**COMES NOW the PLAINTIFF** Pro se, so moves this Court pursuant to 28 USC 2107 and Federal Rules of Appellate Procedure Rule 3(c) governing Notice of Appeal to appeal to the United States Court of Appeals for the Eighth Circuit the **ORDER “dated” JANUARY 13, 2015** by Judge JOHN JARVEY.

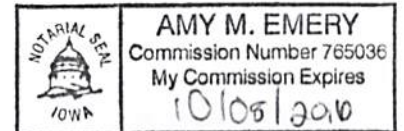
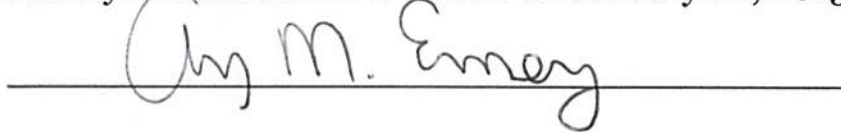
Plaintiff is filing this Notice of Appeal to appeal the Order granting Defendant Apples Motion to Dismiss dated December 8, 2015, Defendants Virgin Mobiles Motion to Dismiss dated December 8, 2015, Defendants Mediacom (d/b/a) MCC IOWA LLC Motion to Dismiss dated December 10, 2015, Defendant Space Explorations Technology Motion to Dismiss dated December 17, 2015, Defendant Blackberry Corporation Motion to Quash Service of Process **filed JANUARY 6, 2013**, Defendant American Iowa Water (aka Iowa American Water) Motion to Dismiss **filed JANUARY 11, 2016**, Plaintiff also seeks Notice of Appeal of ASSISTANT U.S. ATTORNEY Mary Luxa's **MOTION FOR EXTENSION OF TIME filed JANUARY 12, 2016** to answer Plaintiff's Complaint, as asst. U.S. Attorney Mary Luxa is the Attorney for Defendants NASA and

DEPARTMENT OF DEFENSE by which JUDGE JOHN JARVEY made  
'moot' in his **ORDER dated JANUARY 13, 2015.**

Date: January 22, 2016



Notary: Subscribed and sworn on January 22, 2015



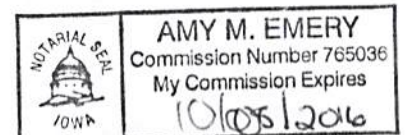
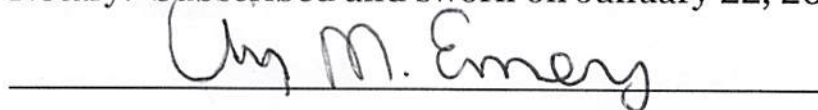
### CERTIFICATE OF SERVICE

I hereby certify that I am placing in the U.S. Mail a copy of this Notice to  
Appeal to ALL Defendants and/or Defendants Attorneys on January 22,  
2016.

Dated: January 22, 2016



Notary: Subscribed and sworn on January 22, 2016





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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF IOWA  
OFFICE OF THE CLERK  
P. O. BOX 9344  
DES MOINES, IA. 50306-9344  
515-284-6248

## Civil Case Notice of Appeal Supplement

COUNSEL FOR APPELLANT PLEASE COMPLETE AND SUBMIT WITH NOTICE OF APPEAL

Case Name: \_\_\_\_\_ vs. \_\_\_\_\_

District Court Case # \_\_\_\_:\_\_\_\_ - cv - \_\_\_\_\_

Appeal Fee (\$505.00) Status Pd\_\_\_\_ IFP\_\_\_\_ Pending\_\_\_\_ Govt. Appeal\_\_\_\_

Counsel Appointed\_\_\_\_ CJA\_\_\_\_ Retained\_\_\_\_ Pro Se\_\_\_\_

Appeal filed by Counsel\_\_\_\_ Pro Se\_\_\_\_

Any reason why counsel should not be appointed\_\_\_\_\_

Pending post Judgment motions: Yes\_\_\_\_ No\_\_\_\_

Type of Motion(s)\_\_\_\_\_

High Public Interest Case Yes\_\_\_\_ No\_\_\_\_

Simultaneous Opinion Release Requested Yes\_\_\_\_ No\_\_\_\_

Trial Held Yes\_\_\_\_ No\_\_\_\_

Jury Trial Held Yes\_\_\_\_ No\_\_\_\_

Court Reporter Yes\_\_\_\_ No\_\_\_\_ Length of Trial \_\_\_\_\_

Reporter's Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Transcript Ordered Yes\_\_\_\_ No\_\_\_\_

**Appealing:** Order prior to final judgment\_\_\_\_ Final Judgment\_\_\_\_

Completed Form "A" Enclosed Yes\_\_\_\_ No\_\_\_\_